

## **KENTUCKY BOARD OF RESPIRATORY CARE**

### **MINUTES**

April 20, 2017

A meeting of the Kentucky Board of Respiratory Care was held on Thursday, April 20, 2017 at 5:30 p.m., at 2365 Harrodsburg Rd. Building B, Suite 215, Lexington, KY 40504

#### **MEMBERS PRESENT**

Pamela Boykin, RRT, Chair  
Kathleen Kearney Schell, Vice Chair  
Dr. Alexander Tzouanakis, MD  
Thomas Baxter, RRT  
Robert Beaty, RRT  
Ken McKenney, RRT

#### **KBRC STAFF**

Tamara G McDaniel, Executive Director  
Rick L. Rose, Administrative Assistant

#### **OTHER**

John Marcus Jones, AAG, Legal Counsel

The meeting was called to order at 5:35 p.m. by Pamela Boykin, Chair

#### **Minutes**

A motion was made by Mr. Baxter, Seconded by Mr. Beaty to accept the amended meeting minutes of December 15, 2016 and to accept the minutes of February 23, 2017 with the following changes: On page 4, under "Non Audit Renewals – Non Compliant" change on this page and throughout the document- "CEU" to read "Continuing Education Units (ceus)". Motion carried.

#### **Financial Statement**

Ms. McDaniel presented the financial statements for February 2017 (FY 2017) and March 2017 (FY 2017). Mr. McKenney made a motion to accept the financials; seconded by Ms. Schell. Motion carried unanimously.

#### **Continuing Education**

Nothing to report

#### **Staff Report**

Ms. McDaniel and Mr. Rose gave an update on activities since the last meeting.

## **Old Business**

No old business

## **Complaints**

Ms. Schell made a motion for the Board to go into closed session, pursuant to KRS 61.810(1) (c) and (j), to discuss proposed or pending litigation and to deliberate regarding individual adjudications. The motion was seconded by Mr. Beaty and carried unanimously. Ms. Schell moved to come out of closed session; seconded by Mr. Beaty. Motion carried unanimously.

## **Agreed Orders – Compliant Cases**

### **Samantha Adkins KY**

Mr. Fingerson reported Samantha Adkins is compliant. No action on the case.

### **Aubrey Bryant**

Mr. Fingerson reported Aubrey Bryant is compliant. No action on the case.

### **Terry Clark**

Mr. Fingerson reported Terry Clark is compliant. No action on the case.

### **Paul Elliott**

Mr. Fingerson reported Paul Elliott is compliant. No action on the case.

### **Shannon Keys**

Mr. Fingerson reported Shannon Keys is compliant. No action on the case.

### **Aaron Peter**

Mr. Fingerson reported Aaron Peter is compliant. No action on the case.

### **Sara Sparks**

Mr. Fingerson reported Sara Sparks is compliant. No action on the case.

### **Jill Stacy**

Mr. Fingerson reported Jill Stacy is compliant. No action on the case.

### **Paul Sublett**

Mr. Fingerson reported Paul Sublett is compliant. No action on the case.

### **James K. Thompson**

Confirmation of his meetings with Dr. Beckham for December and January pursuant to his Agreed Order. No Action on the case

### **Tara Wenzel**

Mr. Fingerson reported Tara Wenzel is compliant. No action on the case.

## **KYPRN Cases – Review or Actions Needed**

### **Aaron Pyke**

Mr. Fingerson reported that Aaron Pyke has missed three phone calls between February 1, 2017 and March 31, 2017. The Board will continue to monitor Mr. Pyke's compliance with his KYPRN agreement. No further action taken at this time.

## **Active Complaint Cases**

A. Timothy Cassity KY #5647 The Board reviewed Mr. Cassity's response to the revised agreed order. A motion was made by Ms. Schell, seconded by Mr. Beaty that legal counsel draft a letter to Mr. Brian Good, Mr. Cassity's attorney, withdrawing the second offer to resolve the complaint. The original offer made on February 27, 2017 will not be withdrawn.

The Board voted to conduct a formal investigation and that the results of the completed investigation be brought before the board for its review.

B. Kimberly Burton Johnson KY #5409 A motion was made by Ms. Schell, seconded by Mr. Beaty that legal counsel draft an offer of agreed order with the following terms: Ms. Johnson will be placed on supervised probation for 12 months ending May 31, 2018. That she pay a \$4,000 administrative fine on or before the end of the probation period on May 31, 2018. That she shall be supervised on probation by a member of the Board, selected by the Board. The she shall notify the supervisor and the Board of any criminal charges or convictions immediately, any further timesheet irregularities or issues brought to o her attention by her employers immediately and she shall report to the supervisor quarterly. Mr. McKenney recused from all discussion and vote.

C. Elizabeth Severs #5847 The Board voted to take no action.

D. Jeffery Cahill The Board reviewed the self-reported criminal charge on Mr. Cahill. A motion was made by Ms. Schell, seconded by Mr. Beaty that an offer of agreed order be sent to Mr. Cahill with the following terms: Mr. Cahill is to pay an administrative fine in the amount of \$500 for failure to properly report the offenses. The fine is to be due August 31, 2017. That Mr. Cahill shall accurately report all criminal charges and convictions on future renewal applications and he shall immediately report any plea of guilty on his pending charges. Mr. Baxter recused from all discussion and vote.

## **Audited Practitioners- No Response**

A motion was made by Mr. McKenney, seconded by Dr. Tzouanakis to draft Agreed Orders of \$500 and a total of 48 continuing education units (ceus) to the listed therapists who did not respond to the audit: Tara Johnson #3695, Brandi Conaway #7448, and Stephanie Adkins #4992. Motion carried unanimously.

### **Non-Compliant Audited Practitioners**

The Board received a letter from Pattie Cromwell # 1540 requesting voluntary surrender of her mandatory certificate in lieu of the proposed agreed order for her audit violation. A motion was made by Dr. Tzouanakis, seconded by Mr. McKenney to allow Ms. Cromwell to surrender her certificate #1540 under the condition if she wants to return to active status at any time in the future, she must first comply with the terms of her agreed order.

The Board received a letter from Michael Garland requesting that the agreed order that he received be revised to reflect the correct address of the Board and a changed date of payment to June 19, 2017.

The Board received audits from the following individuals who were not compliant and gave false information on their renewals: Brandy Conway #7448, Rhonda Dean # 4538 and Cheryl Pasquariello #6429. As previously ordered by the Board, agreed orders will be sent to the individuals for a \$500 fine and double the deficiency of ceus. A motion was made by Dr. Tzouanakis, seconded by Mr. McKenney to send a complaint to the individuals listed regarding the false information reported on their renewals.

### **Non Audit Practitioners**

It was reported to the Board that Shirley Brown #1264 has supplied the Board with proof of completion of her ceus before Dec. 31, 2016. She is requesting that her Agreed Order be rescinded. A motion was made by Ms. Schell, seconded by Mr. Beaty to rescind the previous agreed order.

### **Correspondence – FYI**

KY mileage reimbursement rate for April 1 – June 30, 2017 is \$0.40 per mile

### **New Business**

No new business

### **Application Review**

A motion was made by Mr. Beaty to accept all 49 applications since the last meeting; seconded by Dr. McCormack. Motion carried unanimously.

The following **Student applications (22)** were approved:

Robyn Applegate, Katie Cottrell, Ariel Ferrari, Daniel Goforth, Kristen Hall, Rachel Hazelwood, Kendra Kidd, Kristan Locker, Alexandra Looney, Amanda McBride, Emilee Wethington, Jordan Medina, Salme Niuhan, Devon Ratliff, Taylor Robertson, Kerianne Shelton, Marie Schack, Olivia Sodano, Brittany Sulfridge, Amy Troxell, Indya Williamson, and Kierstin Woods.

The following **Temporary application (4)** were approved:

Allison Holbrook, Timmy Jolley, Heidi Laughlin, Lauren Matney

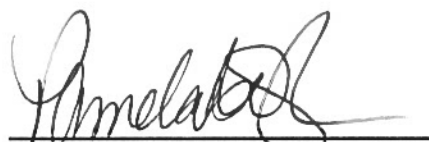
The following **Mandatory applications (23)** were approved: Gary Bennett, Ali Beress, Meagan Campbell, Tyler Cubeta, Charnesia Davis, Kristyn Ellison, Carlotta Hall, Daniel Hughes, John Karvelas, Chad Kelsey, Dianna Koerner, Patricia LaFever, Erin McGuire, John Olsen, Lisa Otten, Frank Poropat, Phyllis Rice, Brittany Robbins, Syga Robinson, Kasey Scott, Tulis Shah, Jessica Yates, and Brian Weiner

### **Announcements**

Ms. Boykin announced the next meeting will be changed to Thursday, June 22, 2017 at 5:30 p.m., EST at the Board offices, 2365 Harrodsburg Rd, Lexington, KY. This will be a special meeting of the Board

### **Approval of Per-diem, Compensation, Travel and Honoraria**

A motion was made by, Ms. Schell seconded by Mr. Beaty, to approve the payment of per diem, compensation, travel and honoraria for Board members. Motion carried unanimously. Ms. Schell made a motion to adjourn the meeting at 7:45 p.m.; seconded by Mr. Beaty. Motion carried unanimously.

  
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Pamela Boykin, RRT, Chair  
KY Board of Respiratory Care